



#3  
PATENT / DOCKET NO.: 28122.90

**DECLARATION AND POWER OF ATTORNEY FOR  
PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and sole joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**VENTRICULAR RESTORATION PATCH APPARATUS  
AND METHOD OF USE**

the specification of which: (check one)

\_\_\_\_\_ is attached hereto.

  X   was filed on   May 24, 2001    
under Attorney's Docket Number   28122.90    
as Application Serial No.   09/864,793    
and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

  60/272,073    
(Application Number)

  February 28, 2001    
(Filing Date)

  Pending    
(Status)

**POWER OF ATTORNEY:** As a named inventor, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Theodore Baroody	Reg. No. 45,417	Michael J. Balconi-Lamica	Reg. No. 34,291
Jeffrey M. Becker	Reg. No. 35,442	Todd Mattingly	Reg. No. 40,298
James R. Bell	Reg. No. 26,528	David L. McCombs	Reg. No. 32,271
L. Howard Chen	Reg. No. 46,615	John W. Montgomery	Reg. No. 31,124
Randall E. Colson	Reg. No. 40,566	Bill R. Naifeh	Reg. No. 44,962
Michael A. Davis, Jr.	Reg. No. 35,488	David M. O'Dell	Reg. No. 42,044
Ruben C. DeLeon	Reg. No. 37,812	Philip Philbin	Reg. No. 35,979
Brian J. Hubbard	Reg. No. 45,873	Constance M. Pielech	Reg. No. 46,991
Rita M. Irani	Reg. No. 31,028	Brandi W. Sarfatis	Reg. No. 37,713
Warren B. Kice	Reg. No. 22,732		
Christopher P. Kosh	Reg. No. 42,760		

Send correspondence to David L. McCombs, Haynes and Boone, LLP, 901 Main Street, Suite 3100, Dallas, Texas 75202-3789 and direct all telephone calls to Bill R. Naifeh at 214/651-5706.

---

FULL NAME OF INVENTOR: Gregory Murphy

INVENTOR'S SIGNATURE:  DATED: 6-25-01

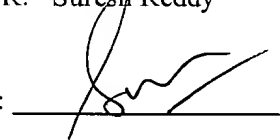
RESIDENCE: 2502 Overcreek Drive; Richardson, Texas 75080

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 2502 Overcreek Drive; Richardson, Texas 75080

---

FULL NAME OF INVENTOR: Suresh Reddy

INVENTOR'S SIGNATURE:  DATED: 8/2/01

RESIDENCE: 3201 Tam O'Shanter; Richardson, Texas 75080

CITIZENSHIP: India

POST OFFICE ADDRESS: 3201 Tam O'Shanter; Richardson, Texas 75080

---

FULL NAME OF INVENTOR: Albert Davis

INVENTOR'S SIGNATURE: 

DATED: 6/25/01

RESIDENCE: 304 Arborcrest; Richardson, Texas 75080

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 304 Arborcrest; Richardson, Texas 75080

---

d-910965.1